

THE NATIONAL ARCHIVES  
LITTERA SCRIPTA MANET  
OF THE UNITED STATES

# FEDERAL REGISTER

VOLUME 3      1934      NUMBER 145

Washington, Wednesday, July 27, 1938

## Rules, Regulations, Orders

### TITLE 7—AGRICULTURE BUREAU OF AGRICULTURAL ECONOMICS

#### DELEGATION OF AUTHORITY FOR THE LAND UTILIZATION PROGRAM

##### Corrections

F. R. Doc. 38-2075, filed July 2, 1938 at 12:44 p. m., and appearing on Pages 1786 and 1787 of the issue for Thursday, July 21, 1938, should contain the following corrections:

First paragraph: "Memorandum No. 75" should read "Memorandum No. 756".

Second paragraph: "casements" should read "easements".

#### AMENDMENT TO RULES AND REGULATIONS FOR THE INSPECTION AND CERTIFICATION OF HAY AND STRAW

By virtue of the authority vested in the Secretary of Agriculture by the provisions in the Act of Congress entitled, "An Act Making appropriations for the Department of Agriculture \* \* \* for the fiscal year ending June 30, 1939, and for other purposes", approved June 16, 1938 (Public No. 644, 75th Congress), authorizing the inspection and certification of farm products, I, M. L. Wilson, Acting Secretary of Agriculture, do hereby prescribe and promulgate the following amendment to the Rules and Regulations of the Secretary of Agriculture Governing the Inspection and Certification of Hay and Straw, approved December 13, 1935, to be effective immediately:

Amend Regulation 7, Section 1, Paragraph 2 (7 C. F. R., 57.33 (b)) to read: "Salaried employees of the U. S. Department of Agriculture. Fees and charges for inspections by salaried employees of the Department of Agriculture shall be fixed in accordance with a schedule of fees and charges approved

from time to time by the chief of the bureau."

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, this 25th day of July, 1938.

[SEAL] M. L. WILSON,  
Acting Secretary.

[F. R. Doc. 38-2158; Filed, July 26, 1938;  
12:41 p. m.]

### TITLE 25—INDIANS

#### OFFICE OF INDIAN AFFAIRS

#### PORT GAMBLE BAND OF CLALLAM INDIANS

##### RESERVATION PROCLAMATION

JUNE 16, 1938.

By virtue of authority contained in Section 7 of the Act of June 18, 1934 (48 Stat. L., 984), the lands described below, acquired by purchase under the provisions of Section 5 of that Act, for the use and benefit of the Port Gamble Band of Clallam Indians, are hereby proclaimed to be an Indian reservation for the benefit and use of such Indians:

Lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{2}$  and SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 4;

Lots 2, 3, 4 and 5, E $\frac{1}{2}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$  (excepting 2 acres, more or less, described as follows: Commencing at the southwest corner of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 5, Township 27 North, Range 2 East, W. M., thence east along the section line for a distance of 295 feet, thence north 295 feet, thence west 295 feet, thence south 295 feet, to point of beginning, containing 2 acres, more or less.) of Section 5;

Lots 3, 4, 5, 6, and E $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 8;

S $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and W $\frac{1}{2}$  of Section 9, Township 27 North, Range 2 East, of the W. M., in Washington.

Also, all of the second class tide lands adjacent to and bordering on that part of the lands described above, identified as Lots 2, 3 and 4 of Section 5; Lots 3, 4, 5 and 6 of Section 8 of said Township 27

## CONTENTS

### RULES, REGULATIONS, ORDERS

TITLE 7—AGRICULTURE:	
Bureau of Agricultural Economics:	Page
Hay and straw, inspection and certification rules amended.....	1867
Land utilization program, delegation of authority; corrections.....	1867
TITLE 25—INDIANS:	
Port Gamble Band of Clallam Indians, reservation proclaimed.....	1867
TITLE 26—INTERNAL REVENUE:	
Bureau of Internal Revenue:	
Firearms or ammunition, issuance of licenses to manufacturers and dealers.....	1868
TITLE 43—PUBLIC LANDS:	
Bureau of Reclamation:	
Rio Grande Project, N. Mex., first form reclamation withdrawals.....	1869
Division of Grazing:	
Colorado Grazing Districts Nos. 1 and 6, and Utah Grazing District No. 8, modification.....	1870

## NOTICES

Department of Agriculture:	
Farm Security Administration:	
Arkansas, designation of counties for tenant purchase loans.....	1870
Securities and Exchange Commission:	
Applications granted:	
Allegheny Ludlum Steel Corp., preferred stock.....	1871
Chicago, Indianapolis and Louisville Railway Co., preferred stock.....	1871
Market Street Railway Co., preferred and common stock.....	1870
Reis, Robert, & Co., common stock.....	1870

(Continued on next page)





Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 10 cents each; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the **FEDERAL REGISTER** should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

## CONTENTS—Continued

Securities and Exchange Commission—Continued.	Page
Walling, William English, II, executor of estate of William G. Walling, former trustee of Utilities Power & Light Corp.	1871

North, Range 2 East, of the W. M., in Washington.

E. K. BURLEW,  
*Acting Secretary of the Interior.*

[F. R. Doc. 38-2156; Filed, July 26, 1938;  
9:38 a. m.]

## TITLE 26—INTERNAL REVENUE BUREAU OF INTERNAL REVENUE [T. D. 4834]

### REGULATIONS RELATING TO THE ISSUANCE OF LICENSES TO MANUFACTURERS AND DEALERS IN FIREARMS OR AMMUNITION WHO ARE SUBJECT TO THE PROVISIONS OF THE FEDERAL FIREARMS ACT

#### To Collectors of Internal Revenue and Others Concerned:

The Federal Firearms Act (Public, No. 785, 75th Congress, approved June 30, 1938, and effective on and after July 30, 1938), provides as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

(1) The term "person" includes an individual, partnership, association, or corporation.

(2) The term "interstate or foreign commerce" means commerce between any State, Territory, or possession (including the Philippine Islands but not including the Canal

Zone), or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession (including the Philippine Islands but not including the Canal Zone), or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(3) The term "firearm" means any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosive and a firearm muffler or firearm silencer, or any part or parts of such weapon.

(4) The term "manufacturer" means any person engaged in the manufacture or importation of firearms, or ammunition or cartridge cases, primers, bullets, or propellant powder for purposes of sale or distribution; and the term "licensed manufacturer" means any such person licensed under the provisions of this Act.

(5) The term "dealer" means any person engaged in the business of selling firearms or ammunition or cartridge cases, primers, bullets or propellant powder, at wholesale or retail, or any person engaged in the business of repairing such firearms or of manufacturing or fitting special barrels, stocks, trigger mechanisms, or breach mechanisms to firearms, and the term "licensed dealer" means any such person licensed under the provisions of this Act.

(6) The term "crime of violence" means murder, manslaughter, rape, mayhem, kidnapping, burglary, housebreaking, assault with intent to kill, commit rape, or rob; assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year.

(7) The term "fugitive from justice" means any person who has fled from any State, Territory, the District of Columbia, or possession of the United States to avoid prosecution for a crime of violence or to avoid giving testimony in any criminal proceeding.

(8) The term "ammunition" shall include all pistol or revolver ammunition except .22-caliber rim-fire ammunition.

Sec. 2. (a) It shall be unlawful for any manufacturer or dealer, except a manufacturer or dealer having a license issued under the provisions of this Act, to transport, ship, or receive any firearm or ammunition in interstate or foreign commerce.

(b) It shall be unlawful for any person to receive any firearm or ammunition transported or shipped in interstate or foreign commerce in violation of subdivision (a) of this section, knowing or having reasonable cause to believe such firearms or ammunition to have been transported or shipped in violation of subdivision (a) of this section.

(c) It shall be unlawful for any licensed manufacturer or dealer to transport or ship any firearm in interstate or foreign commerce to any person other than a licensed manufacturer or dealer in any State the laws of which require that a license be obtained for the purchase of such firearm, unless such license is exhibited to such manufacturer or dealer by the prospective purchaser.

(d) It shall be unlawful for any person to ship, transport, or cause to be shipped or transported in interstate or foreign commerce any firearm or ammunition to any person knowing or having reasonable cause to believe that such person is under indictment or has been convicted in any court of the United States, the several States, Territories, possessions (including the Philippine Islands), or the District of Columbia of a crime of violence or is a fugitive<sup>1</sup> from justice.

(e) It shall be unlawful for any person who is under indictment or who has been convicted of a crime of violence or who is a fugitive<sup>1</sup> from justice to ship, transport, or cause to be shipped or transported in interstate or foreign commerce any firearm or ammunition.

<sup>1</sup> So in original.

(f) It shall be unlawful for any person who has been convicted of a crime of violence or is a fugitive<sup>1</sup> from justice to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce, and the possession of a firearm or ammunition by any such person shall be presumptive evidence that such firearm or ammunition was shipped or transported or received, as the case may be, by such person in violation of this Act.

(g) It shall be unlawful for any person to transport or ship or cause to be transported or shipped in interstate or foreign commerce any stolen firearm or ammunition, knowing, or having reasonable cause to believe, same to have been stolen.

(h) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any firearm or ammunition or to pledge or accept as security for a loan any firearm or ammunition moving in or which is a part of interstate or foreign commerce, and which while so moving or constituting such part has been stolen, knowing, or having reasonable cause to believe the same to have been stolen.

(i) It shall be unlawful for any person to transport, ship, or knowingly receive in interstate or foreign commerce any firearm from which the manufacturer's serial number has been removed, obliterated, or altered, and the possession of any such firearm shall be presumptive evidence that such firearm was transported, shipped, or received, as the case may be, by the possessor in violation of this Act.

Sec. 3. (a) Any manufacturer or dealer desiring a license to transport, ship, or receive firearms or ammunition in interstate or foreign commerce shall make application to the Secretary of the Treasury, who shall prescribe by rules and regulations the information to be contained in such application. The applicant shall, if a manufacturer, pay a fee of \$25 per annum and, if a dealer, shall pay a fee of \$1 per annum.

(b) Upon payment of the prescribed fee, the Secretary of the Treasury shall issue to such applicant a license which shall entitle the licensee to transport, ship, and receive firearms and ammunition in interstate and foreign commerce unless and until the license is suspended or revoked in accordance with the provisions of this Act: *Provided*, That no license shall be issued to any applicant within two years after the revocation of a previous license.

(c) Whenever any licensee is convicted of a violation of any of the provisions of this Act, it shall be the duty of the clerk of the court to notify the Secretary of the Treasury within forty-eight hours after such conviction and said Secretary shall revoke such license: *Provided*, That in the case of appeal from such conviction the licensee may furnish a bond in the amount of \$1,000, and upon receipt of such bond acceptable to the Secretary of the Treasury he may permit the licensee to continue business during the period of the appeal, or should the licensee refuse or neglect to furnish such bond, the Secretary of the Treasury shall suspend such license until he is notified by the clerk of the court of last appeal as to the final disposition of the case.

(d) Licensed dealers shall maintain such permanent records of importation, shipment, and other disposal of firearms and ammunition as the Secretary of the Treasury shall prescribe.

Sec. 4. The provisions of this Act shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm, or ammunition, sold or shipped to, or issued for the use of, (1) the United States or any department, independent establishment, or agency thereof; (2) any State, Territory, or possession, or the District of Columbia, or any department, independent establishment, agency, or any political subdivision thereof; (3) any duly commissioned officer or agent of the United States, a State, Territory, or possession, or the District of Columbia, or any political subdivision thereof; (4) or to any bank, public carrier,



express, or armored-truck company organized and operating in good faith for the transportation of money and valuables; (5) or to any research laboratory designated by the Secretary of the Treasury; *Provided*, That such bank, public carriers, express, and armored-truck companies are granted exemption by the Secretary of the Treasury; nor to the transportation, shipment, or receipt of any antique or unserviceable firearms, or ammunition, possessed and held as curios or museum pieces; *Provided*, That nothing herein contained shall be construed to prevent shipments of firearms and ammunition to institutions, organizations, or persons to whom such firearms and ammunition may be lawfully delivered by the Secretary of War, nor to prevent the transportation of such firearms and ammunition so delivered by their lawful possessors while they are engaged in military training or in competitions.

Sec. 5. Any person violating any of the provisions of this Act or any rules and regulations promulgated hereunder, or who makes any statement in applying for the license or exemption provided for in this Act, knowing such statement to be false, shall, upon conviction thereof, be fined not more than \$2,000, or imprisoned for not more than five years, or both.

Sec. 6. This Act shall take effect thirty days after its enactment.

Sec. 7. The Secretary of the Treasury may prescribe such rules and regulations as he deems necessary to carry out the provisions of this Act.

Sec. 8. Should any section or subsection of this Act be declared unconstitutional, the remaining portion of the Act shall remain in full force and effect.

Sec. 9. This Act may be cited as the Federal Firearms Act.

The Secretary of the Treasury has charged the Bureau of Internal Revenue, under the direction of the Commissioner of Internal Revenue, and subject to rules and regulations prescribed by the Secretary of the Treasury, with the administration of the Federal Firearms Act. The following regulations are hereby prescribed under the Act.

1. An application for a license by a manufacturer or a dealer desiring to transport, ship, or receive firearms or ammunition in interstate or foreign commerce shall be made to the collector of internal revenue for the district in which the applicant's principal place of business is located.

2. The application shall show the name and principal place of business of the applicant, the trade name, if one is used, and whether the business of the applicant is that of a manufacturer or of a dealer within the meaning of those terms as defined in the Act.

3. Upon receipt of an application showing the information prescribed in paragraph 2, and the prescribed fee, the collector of internal revenue shall issue to the applicant a license which shall be in letter form until printed forms are made available. The license shall entitle the licensee to transport, ship, and receive firearms and ammunition in interstate and foreign commerce under the Federal Firearms Act, for a period of one year from the date upon which the license is issued, subject to revocation at any time upon conviction of a violation of the Act. The license letter shall show the collection district and a serial num-

ber. The serial numbers in each district shall begin with "1" and run consecutively, for example "5 N. J. No. 1."

4. The license letter shall be in the following form:

District \_\_\_\_\_ Number \_\_\_\_\_  
Date \_\_\_\_\_  
(Name of Licensee) \_\_\_\_\_  
(Address) \_\_\_\_\_

In accordance with the provisions of the Federal Firearms Act, you are hereby licensed as a \_\_\_\_\_

(Indicate whether dealer or manufacturer)  
to transport, ship, and receive

firearms and ammunition in interstate and foreign commerce for a period of one year beginning \_\_\_\_\_, 1938, and ending \_\_\_\_\_, 1939.

This license is subject to revocation at any time in the event the licensee is convicted of a violation of the Act.

By direction of the Secretary of the Treasury.

Collector of Internal Revenue.

5. Each collector of internal revenue shall maintain an alphabetical file of all the licenses issued in his district under the Federal Firearms Act, and shall furnish a copy of each such license to the Commissioner of Internal Revenue (attention MT:ST) immediately upon issuance.

6. Fees collected under the Federal Firearms Act shall be scheduled on standard Form 1044 to the Regional Disbursing Officer for deposit to miscellaneous receipts, symbol and title "3291 Fees, Federal Firearms Act."

This Treasury decision is issued pursuant to authority contained in section 7 of the Federal Firearms Act.

[SEAL] MILTON E. CARTER,  
Acting Commissioner of  
Internal Revenue.

Approved, July 25, 1938.

ROSWELL MAGILL,  
Acting Secretary of the  
Treasury.

[F. R. Doc. 38-2152; Filed, July 25, 1938;  
4:01 p. m.]

#### TITLE 43—PUBLIC LANDS

##### BUREAU OF RECLAMATION

RIO GRANDE PROJECT, NEW MEXICO

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 14, 1938.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat., 1976), it is recommended that Departmental order of April 8, 1935, establishing Grazing District No. 4, New Mexico, under and pursuant to the provisions of the Act of June 28, 1934 (48 Stat., 1269), be revoked in so far as the following described land may be affected, and the said land be withdrawn

from public entry under the first form withdrawal, as provided in Sec. 3, Act of June 17, 1902 (32 Stat., 388):

RIO GRANDE PROJECT, NEW MEXICO

New Mexico Principal Meridian

T. 14 S., R. 4 W., Sec. 32, SE $\frac{1}{4}$ .

Respectfully,

JOHN C. PAGE,  
Commissioner.

I concur, July 7, 1938.

JULIAN TERRETT,  
Acting Director, Division of  
Grazing.

The foregoing recommendation is hereby approved and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

OSCAR L. CHAPMAN,  
Assistant Secretary.

JULY 14, 1938.

[F. R. Doc. 38-2154; Filed, July 26, 1938;  
9:38 a. m.]

RIO GRANDE PROJECT, NEW MEXICO

FIRST FORM RECLAMATION WITHDRAWAL

JUNE 14, 1938.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat., 1976), it is recommended that Departmental order of July 11, 1935, establishing Grazing District No. 3, New Mexico, under and pursuant to the provisions of the Act of June 28, 1934 (48 Stat., 1269), be revoked in so far as the following described land may be affected, and the said land be withdrawn from public entry under the first form withdrawal as provided in Sec. 3, Act of June 17, 1902 (32 Stat., 388).

RIO GRANDE PROJECT, NEW MEXICO

New Mexico Principal Meridian

T. 15 S., R. 5 W., Sec. 36, SW $\frac{1}{4}$ .

Respectfully,

JOHN C. PAGE,  
Commissioner.

I concur, July 7, 1938.

JULIAN TERRETT,  
Acting Director, Division of  
Grazing.

The foregoing recommendation is hereby approved and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

OSCAR L. CHAPMAN,  
Assistant Secretary.

JULY 14, 1938.

[F. R. Doc. 38-2153; Filed, July 26, 1938;  
9:38 a. m.]



## DIVISION OF GRAZING

COLORADO GRAZING DISTRICTS NOS. 1 AND 6 AND UTAH GRAZING DISTRICT NO. 8

## MODIFICATION

APRIL 13, 1938.

Under and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), Departmental orders of July 9, 1935, July 11, 1935, and June 22, 1935, establishing Colorado Grazing Districts Nos. 1 and 6 and Utah Grazing District No. 8, respectively, are hereby revoked as far as they affect the following-described lands, such revocation to be effective upon the reservation of the lands for the Dinosaur National Monument:

## COLORADO

## Sixth Principal Meridian

- T. 6 N., R. 99 W.,  
sec. 5, W $\frac{1}{2}$ ;  
secs. 6 and 7;  
sec. 8, W $\frac{1}{2}$ ;  
sec. 17, W $\frac{1}{2}$ ;  
secs. 18 and 19;  
sec. 20, W $\frac{1}{2}$ ;  
sec. 29, W $\frac{1}{2}$ ;  
secs. 30 and 31;  
sec. 32, W $\frac{1}{2}$ ;  
(partly unsurveyed)
- T. 6 N., R. 100 W.,  
secs. 1 to 30 and 33 to 36, inclusive;
- T. 6 N., R. 101 W.,  
secs. 1 to 30, inclusive;  
(partly unsurveyed)
- T. 7 N., R. 101 W.,  
secs. 25 to 36, inclusive;  
(partly unsurveyed)
- T. 6 N., R. 102 W.,  
secs. 1 to 30 inclusive; (partly unsurveyed)
- T. 7 N., R. 102 W.,  
secs. 5 to 8, 17 to 20, and 25 to 36, inclusive; (partly unsurveyed)
- T. 8 N., R. 102 W.,  
secs. 5 to 8, 17 to 20, and 27 to 34, inclusive; (partly unsurveyed)
- T. 9 N., R. 102 W.,  
secs. 16 to 21, and 28 to 33, inclusive;  
(partly unsurveyed)
- T. 6 N., R. 103 W.,  
secs. 1 to 14, inclusive;  
secs. 23 and 24;
- T. 7 N., R. 103 W.,  
all; (partly unsurveyed)
- T. 8 N., R. 103 W.,  
sec. 1;  
sec. 2, E $\frac{1}{2}$ ;  
sec. 11, E $\frac{1}{2}$ ;  
secs. 12 to 15, 22 to 28, and 32 to 36, inclusive; (partly unsurveyed)
- T. 9 N., R. 103 W.,  
secs. 13, 24, 25, and 36;
- T. 6 N., R. 104 W.,  
secs. 1, 2, 11, and 12; (partly unsurveyed)
- T. 7 N., R. 104 W.,  
all;

## UTAH

## Salt Lake Meridian

- T. 4 S., R. 23 E.,  
secs. 9 to 16 and 21 to 28, inclusive, and those parts of secs. 34 to 35 north of Green River; (partly unsurveyed)
- T. 3 S., R. 24 E.,  
secs. 25, 26, 35, and 36;
- T. 4 S., R. 24 E.,  
secs. 1 to 3, and 7 to 30; inclusive, (partly unsurveyed)
- T. 3 S., R. 25 E.,  
sec. 11, E $\frac{1}{2}$ ;  
secs. 12 and 13;  
sec. 14, E $\frac{1}{2}$ ;

secs. 20 to 36; inclusive, (partly unsurveyed)  
T. 4 S., R. 25 E.,  
secs. 1 to 12, inclusive, (partly unsurveyed).

HAROLD L. ICKES,  
Secretary of the Interior.

[P. R. Doc. 38-2155; Filed, July 26, 1938;  
9:38 a. m.]

## Notices

## DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

## DESIGNATION OF COUNTIES FOR TENANT PURCHASE LOANS

## ARKANSAS

JULY 25, 1938.

Pursuant to the provisions of Title I of the Bankhead-Jones Farm Tenant Act, and Section II 3 of Administration Order 230 of the Farm Security Administration, issued thereunder, and upon the basis of the recommendations of the Arkansas State Farm Security Advisory Committee, the following counties are hereby designated as those in which loans, pursuant to said Title, may be made under the provisions of said Order for the fiscal year ending June 30, 1939: (1) those counties which were designated for the making of loans for the fiscal year ending June 30, 1938; and (2) the following additional counties:

Arkansas, Baxter, Benton, Bradley, Calhoun, Clark, Clay, Conway, Craighead, Desha, Drew, Franklin, Grant, Greene, Independence, Izard, Lee, Lincoln, Logan, Monroe, Nevada, Ouachita, Pike, St. Francis, Scott, Sevier, Washington, and Yell.

[SEAL] HARRY L. BROWN,  
Acting Secretary of Agriculture.

[P. R. Doc. 38-2151; Filed, July 25, 1938;  
3:26 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 25th day of July 1938.

[File No. 1-957]

IN THE MATTER OF MARKET STREET RAILWAY COMPANY 6% CUMULATIVE PREFERRED STOCK, \$100 PAR VALUE, 6% NON-CUMULATIVE SECOND PREFERRED STOCK, \$100 PAR VALUE, AND COMMON STOCK, \$100 PAR VALUE

## ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

The New York Stock Exchange, pursuant to Section 12 (d) of the Securities

<sup>1</sup> 2 F. R. 2553 (2973 DI).

Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to strike from listing and registration the 6% Cumulative Preferred Stock, \$100 Par Value, 6% Non-Cumulative Second Preferred Stock, \$100 Par Value, and Common Stock, \$100 Par Value, of Market Street Railway Company; and

After appropriate notice,<sup>1</sup> a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 4, 1938.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[P. R. Doc. 38-2161; Filed, July 26, 1938;  
12:46 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of July 1938.

[File No. 1-1419]

IN THE MATTER OF ROBERT REIS & CO. COMMON STOCK, NO PAR VALUE

## ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

The New York Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to strike from listing and registration the Common Stock, No Par Value, of Robert Reis & Co.; and

After appropriate notice,<sup>1</sup> a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 4, 1938.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[P. R. Doc. 38-2163; Filed, July 26, 1938;  
12:46 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of July 1938.

<sup>1</sup> 3 F. R. 1435 DI.



[File No. 1-2066]

IN THE MATTER OF CHICAGO, INDIANAPOLIS  
AND LOUISVILLE RAILWAY COMPANY 4%  
NON-CUMULATIVE PREFERRED STOCK,  
\$100 PAR VALUE

ORDER GRANTING APPLICATION TO STRIKE  
FROM LISTING AND REGISTRATION

The New York Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to strike from listing and registration the 4% Non-Cumulative Preferred Stock, \$100 Par Value, of Chicago, Indianapolis and Louisville Railway Company; and

After appropriate notice, a hearing having been held in this matter; and  
The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 4, 1938.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[P. R. Doc. 38-2162; Filed, July 26, 1938;  
12:46 p. m.]

United States of America—Before the  
Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 25th day of July 1938.

[File No. 7-242]

IN THE MATTER OF ALLEGHENY LUDLUM  
STEEL CORPORATION 7% CUMULATIVE  
PREFERRED STOCK, PAR VALUE \$100

ORDER GRANTING APPLICATION

Continuance of unlisted trading privileges on the New York Curb Exchange in Allegheny Steel Company, 7% Cumula-

3 F. R. 1435 DL.

tive Preferred Stock, Par Value \$100, having been permitted by action of this Commission on October 1, 1934; and

Said Exchange, pursuant to paragraph (b) of Rule JF2, having applied to this Commission setting forth that there are being effected changes in said security other than those specified in paragraph (a) of said Rule and asking the Commission to determine that said security after said changes is substantially equivalent to the said security heretofore admitted to unlisted trading privileges; and

The Commission having considered the matter;

It is ordered, pursuant to Section 12 (f) and 23 (a) of the Securities Exchange Act of 1934, as amended, and Rule JF2 (b) promulgated thereunder, that the determination sought by said application be and the same is hereby made, effective upon the merger between Allegheny Steel Company and Ludlum Steel Company becoming operative.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[P. R. Doc. 38-2160; Filed, July 26, 1938;  
12:46 p. m.]

United States of America—Before the  
Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 26th day of July, A. D. 1938.

[File No. 55-9]

IN THE MATTER OF WILLIAM ENGLISH  
WALLING, II, AS EXECUTOR OF THE  
ESTATE OF WILLOUGHBY G. WALLING,  
FORMER TRUSTEE OF UTILITIES POWER  
& LIGHT CORPORATION

NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 11 (f) and Rule U-11F-2 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on August 12, 1938, at 9:30 o'clock in the forenoon of that day,

at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in Room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to continue or postpone said hearing from time to time or to a date thereafter to be fixed by such presiding officer.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before August 6, 1938.

The matter concerned herewith is in regard to an application filed by William English Walling, II, as executor of the will of Willoughby G. Walling, deceased, pursuant to Rule U-11F-2 promulgated under Section 11 (f) of the Public Utility Holding Company Act of 1935, for final compensation for his services from October 28, 1937 until February 23, 1938 in the maximum amount of \$25,000 of which \$14,000 has heretofore been allowed by the court and paid (prior to the effective date of Rule U-11F-2) for the services of said Willoughby G. Walling as trustee of Utilities Power & Light Corporation now undergoing reorganization under Section 77B of the Bankruptcy Act, as amended.

By the Commission,

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[P. R. Doc. 38-2159; Filed, July 26, 1938;  
12:46 p. m.]

